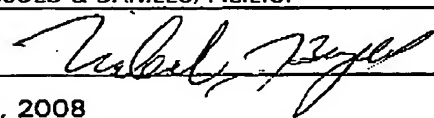



PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0851-0031
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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/555,921 | RECEIVED CENTRAL FAX CENTER APR 30 2008 |
| | Confirmation Number | | |
| | Filing Date | with an effective filing date of May 26, 2004 | |
| | First Named Inventor | Frederick Leslie BROWN | |
| | Group Art Unit | 3611 | |
| | Examiner Name | Maurice L. Williams | Fax: (571) 273-8300 |
| Total No. of Pages in this Submission: 4 | Attorney Docket Number | CUNANT 1716US | |
| ENCLOSURES (check all that apply) | | | |
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached - Check \$ <input checked="" type="checkbox"/> Amendment/Response - 3 pgs. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (in Duplicate) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Stmt <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/s Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful) <input type="checkbox"/> To Convert a Provisional Petition <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below): | |
| REMARKS | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
| Firm or Individual Name | Michael J. Bujold DAVIS BUJOLD & DANIELS, P.L.L.C. | | Reg. No. 32,018 CUSTOMER NO. 020210 |
| Signature |  | | |
| Date | April 30, 2008 | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on <u>April 30, 2008</u> | | | |
| Signature |  | | Date: April 30, 2008 (aag) |

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CENTRAL FAX CENTER**APR 30 2008**

04/30/8

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Frederick Leslie BROWN
Serial no. : 10/555,921
Confirmation No. :
Filed : with an effective filing date of May 26, 2004
For : FORK LIFT TRUCK WITH A SINGLE FRONT
WHEEL
Group Art Unit : 3611
Examiner : Maurice L. Williams
Docket : CUNANT 1716US

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.

In response to the official action mailed April 15, 2008, please enter the following before reconsideration of this application.

REMARKS

Claims 13-20 and 22-26 are rejected, under 35 U.S.C. § 102, as being anticipated in view of Callan et al. '038 (United States Publication No. US 2003/0132038). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

It is note that 35 U.S.C. § 102(e) states that:

A person shall be entitled to a patent unless -

e) the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language....